

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 15-617-MV

DANIELLE BERCIER and
ROMAN TRUJILLO,

Defendants.

Order and Notice of Trial

THIS MATTER is before the Court on defendant Bercier's *Unopposed Motion to Continue Trial* [53] and defendant Trujillo's *Fourth Unopposed Motion to Continue Trial* [54]. The Court has weighed the representations made in the motion and finds granting a continuance to resolve these issues outweighs the public and defendant's interest in a speedy trial pursuant to 18 U.S.C. § 3161, for the following reasons: Defense counsel request additional time to pursue plea negotiations, which have been delayed because a new AUSA has recently been assigned to this case.

Conducting a trial in the face of these facts would be contrary to the interests of justice. *Zedner v. United States* 126 S. Ct. 1976 (2006). Now, therefore,

IT IS ORDERED that the trial of this action be and hereby is continued from October 19, 2015 to **Monday, January 25, 2016, at 9:00 a.m.**, in the United States Courthouse, 106 South Federal Place in Santa Fe, New Mexico, pursuant to 18 U.S.C. § 3161(h)(7)(A), with the following pretrial dates and deadlines. It is further ordered that the period of time from the

entry of this Order until the new trial date shall be excluded from the time limitations set forth within 18 U.S.C. § 3161(c)(1) .

Event	Date/Deadline
Pre-Trial Motions	December 7, 2015
Joint Jury Instructions, Witness and Exhibit Lists, Voir Dire	January 11, 2016
Objections to Witness and Exhibit Lists, Objections to Voir Dire	January 15, 2016
Motion to Continue	January 15, 2016
Motions in Limine/Response/Reply	January 4, 2016 / January 11, 2016 / January 15, 2016 This deadline does not include <i>Daubert</i> or other motions, which shall be made prior to the dispositive motions deadline established at arraignment. Responses and replies to Motions in Limine filed 14 days or more before this deadline are due in accordance with the Federal and Local Rules of Criminal Procedure.
Jury Selection/Trial	January 25, 2016, 9:00 a.m.

In an effort to conserve judicial resources, the Court must be advised of all plea agreements no later than ten (10) working days prior to trial. The plea must be entered at least five (5) days prior to the trial date.



MARTHA VÁZQUEZ
UNITED STATES DISTRICT JUDGE

Linda Z. Romero, Courtroom Deputy - (505) 992-3826

Trial Preparation guidelines: <http://www.nmcourt.fed.us/web/DCDOCS/Judges/vazquez.html>